

REMARKS

Claims 1-25 are pending in the application. Claims 16 and 19 are allowed. Claims 4-7 and 10 are objected to. Claims 20-25 are added.

35 U.S.C. § 102:

Claims 1-3, 8, 9, 11-15, 17 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Roy (U.S. Patent 4,615,667).

Claim 1 was previously amended to recite the claimed fin as "not being in contact with the preform." The Examiner acknowledges that the previously applied art does not teach this feature and newly applies Roy.

In regard to independent claim 11, the Examiner previously asserted that this claim would be allowed if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, as noted in the Office Action dated July 14, 2004. However, the Examiner now also applies Roy against claim 11.

The Examiner asserts that Roy discloses a preform 102 provided in an oven or mold 54, wherein the preform has a body and a tubular neck. The Examiner further asserts that Roy comprises a gripping device (Fig. 16A) having gripping claws 103 that enclose an outer surface of the neck to hold the preform. In regard to the claimed inner core, the Examiner applies the core 104 of Roy and appears to be applying the portions between the helical passages of the core 104 against the claimed fins. This feature can be seen in Figs. 15A and 16A of Roy.

Applicant notes that the exemplary embodiment of present Fig. 2 includes a core 62 comprising fins 66 which protrude radially and have open passages therebetween (formed by grooves 68). Accordingly, to expedite prosecution, claim 1 is amended to describe an open

channel that radially extends from an inner portion of the core to the neck of the preform along the fin. For example, the open channel shown in the exemplary embodiment of Fig. 2 extends from the core 62 through the groove 68 outwardly to the neck of the preform 12. Roy does not disclose at least this feature because the only arguable channel provided by the core 104 (Fig. 16A) is that formed by the helical passages. However, the helical passages do not provide an open channel that radially extends from an inner portion of the core along the at least one fin to the neck of the preform. Instead, the helical channels are spirally wound around the core 104 and are delimited by the element 101, so as to be separated from the preforms' neck. Claim 11 is similarly amended and, therefore, includes features not disclosed by Roy.

Accordingly, Roy fails to disclose each feature recited in claims 1 and 11, such that the rejection thereof under 35 U.S.C. § 102(b) should be withdrawn. Further, it is respectfully submitted that the rejection of dependent claims 2, 3, 8, 9 and 12-15 should be withdrawn at least by virtue of these claims depending upon claim 1.

Claim 17 was previously allowed, but is now rejected in view of Roy. The Examiner cites Figs. 16A and asserts that an ejection means having a finger 108 is disclosed as extending downwardly to be placed against the preform (this feature is also shown in Fig. 18A of Roy). In the exemplary embodiment of present Fig. 2, the finger 78 is disposed to press against an edge of the preform 12. Roy does not disclose this feature. Applicant, therefore, amends claim 17 to describe this feature and define over Roy, such that the rejection of claim 17 should be withdrawn, as well as the rejection of dependent claim 18, at least because of its dependency.

NEW CLAIMS:

To obtain more varied protection, Applicant adds claims 20-25, which respectfully depend from independent claims 1, 11 and 17, and further define the location and shape of the lower transverse surface of the inner core. Claims 20-25 are deemed allowable at least by virtue of their respective dependencies upon the independent claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

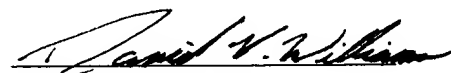
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